The background of the top half of the page features a large, light blue circular seal of Montgomery County, Maryland. The seal contains the county's coat of arms, which includes a shield with various symbols, flanked by two figures holding flags, and topped with a crest. The words "MONTGOMERY COUNTY" are arched across the top, and "GARDEZ BIEN" is at the bottom.

2008 Annual Report

Montgomery County, Maryland

Office



HUMAN RIGHTS

*Creating a culture of service and a
climate of fairness and inclusion*

Mission

The mission of the Office of Human Rights is to work in a cooperative team effort to:

- enforce Montgomery County equal rights laws and make the public aware of its rights and obligations;
- provide effective resolution of complaints of unlawful discrimination and hate/violence in order to reduce the negative impact on the community;
- promote harmony in Montgomery County by educating and training the community to cultivate sensitivity to civil rights and cultural awareness issues;
- establish and maintain positive open lines of communication between the Office of Human Rights and the community; and
- be responsive and sensitive to community needs and concerns by leading, advocating, and supporting community efforts toward civil rights progress.

Vision

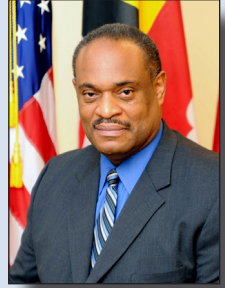
A cooperative team effort which:

- is responsive to issues of discrimination with fairness, equity, and sensitivity;
- is effective in fostering human rights and community harmony;
- provides an atmosphere encouraging a free exchange of ideas, creativity, innovation, empowerment of employees, providing them with a sense of autonomy and respect; and
- is founded on the belief that justice for all and equal protection are not cliches, but are realistic pursuits.

Message from the Director

Dear Montgomery County Residents,

It is my great pleasure to present to you the 2008 Annual Report. This is my first annual report to the community as the new Director of the Office of Human Rights. It is our goal and intent to continue the great work of past directors and staffs while maintaining the professional reputation of the Office of Human Rights in all our interactions with the Montgomery County Community. We will come to you each year through the annual report to share with you our progress and challenges as we move ahead.



In this publication you will find the activities and accomplishments of the Office of Human Rights, the Commission on Human Rights, the Committee on Hate Violence and the Interagency Fair Housing Coordinating Group.

We are pleased to share that in the area of compliance we continue to make good progress. We have revamped our investigation procedures improving our response time to the community and producing even more efficient processing of cases. We have increased the number of cases referred to mediation and have successfully resolve nearly half of those in the mediation program. We will be working toward becoming paperless to the extent appropriate in the coming year as we move all our compliance work into a re-engineered electronic case management system.

The Office of Human Rights celebrated its fifth Hall of Fame recognition program in 2008 honoring county residents for lifetime achievement in the area of Civil and Human Rights. This program continues to be an agency highlight and was conceived by former Office of Human Rights Director Odessa Shannon.

In regards to the Human Rights Commission we have renewed our commitment to their important work and as a result the Commission has re-focused its activities and renewed their commitment to be more engaged with the greater community. The Commission initiated a Human Rights Day Essay Contest open to all county middle schools. In addition, a series of public forums were planned and will be presented in the coming year. The Commission also increased its participation at community programs and events. Lastly the Commission has worked hard to improve its process for reviewing requests for appeals of complaints before the Commission.

The Committee on Hate Violence continued its important work of promoting understanding and mutual respect for all people. While the Committee recorded incidents of alleged hate violence activity, continued progress was made in engaging the community in more positive respectful behavior. This was accomplished through community engagement activities and programs; one of which is called "Person Behind the Face" workshops. These work shops were conducted throughout the county aimed at developing greater cultural understanding among and between various racial and ethnic groups.

The Interagency Fair Housing Group and our Fair Housing Staff moved forward on key events that continue to promote the significance of open, affordable and accessible housing in Montgomery County. We participated in the county's housing fair for those seeking housing and produced two One-Stop Fair Housing workshops for housing providers which were all well attended. Efforts also continued in our fair housing testing program which provided significant additional support in identifying potential cases of housing discrimination.

Throughout all of the programs and activities of the Office of Human Rights and our affiliate organizations we have made good progress. In every area however we have made firm commitments to improve and become even more efficient. We enlist your help in our efforts and welcome your comments, constructive criticism and commentary. We have a goal and a new vision for our office... "Creating a culture of service and a climate of fairness and inclusion." You will be hearing more about this new direction in the coming year.

I close by thanking our staff, our Commissioners, Committee Members, and Interagency representatives for all their hard work and commitment. No progress can be made without their support and the support of you the community. The Dream Is Alive....The Work Continues.

James L. Stowe
Director

Compliance

Process

According to the Montgomery County Human Rights and Civil Liberties ordinance, individuals who are victims of illegal discrimination in employment, commercial or residential real estate transactions, public accommodation or intimidation may file a complaint with the Office of Human Rights. These complaints are investigated and resolved by the Compliance Division and the Commission on Human Rights Case Review Board using the procedures described in Chapter 27, Article I of the Montgomery County Code, the Human Rights Commission Rules of Procedure, and the Montgomery County Administrative Procedures Act. During 2008, there were 7,067 personal contacts via telephone calls, office visits, and the Internet. Relief obtained for complaining parties was \$110,878.00. Additionally, the Office of Human Rights has procured several instances of non-monetary benefits for complainants, including diversity training to educate employers, club memberships, gift certificates, and replacement housing.

BASES FOR COMPLAINTS FILED FY2008		TOTAL = 449	
Race.....	104	Mental Disability	1
Color	5	Physical Disability.....	434
Sex.....	81	Marital Status.....	1
Sexual Orientation.....	2	Presence of Children.....	2
Age.....	50	Source of Income.....	24
Ancestry.....	12	Family Responsibilities	6
National Origin	45	Genetic Status.....	0
Religion.....	8	Retaliation	65
Gender Identity	0		
TOTALS MAY EXCEED NUMBER OF COMPLAINTS FILED AS COMPLAINTS MAY BE FILED ON MORE THAN ONE BASIS.			

There are 16 prohibited bases for discrimination in commercial and residential real estate, public accommodations, employment and intimidation in the Human Rights and Civil Liberties Code. Age discrimination is prohibited only in employment and real estate transactions; presence of children and source of income discrimination is prohibited only in real estate transactions; and genetic status discrimination is prohibited only in employment.

During the initial interview with the Complainant, the Intake Investigator determines if the Office of Human Rights has jurisdiction over the complaint and whether or not the complaint is legally sufficient for the Office of Human Rights to accept the complaint.

After the interview process is completed and jurisdiction is established, the complaint is drafted, signed by the complainant, and returned to the Office of Human Rights for assignment to an investigator.

Once the case is assigned to an investigator, a detailed investigation into the allegations is conducted. Necessary data and information are collected. The Compliance staff encourages the parties to settle complaints on terms mutually agreeable through a Negotiated Settlement. A mediation program which consists of certified mediators, including members of the Montgomery County Bar Association, is also available for parties who want to try informal resolution for their complaints.

COMPLAINTS REFERRED TO MEDIATION

Successful Mediation	16	TOTAL = 38
Unsuccessful Mediation	22*	SUCCESS RATIO = 42%

*These cases are referred to investigators for a full civil rights investigation.

This process occurs prior to the Director's determination on the merits of the complaint. If a negotiated settlement is not reached, further investigation is conducted. There are approximately 35 volunteer mediators who are an integral part of the complaint resolution program.

Once the Office of Human Rights completes the investigation, the Director determines if there are "reasonable grounds" or "no reasonable grounds" to believe discrimination occurred based on an evaluation of the evidence collected. In the event that conciliation is unsuccessful after a "reasonable grounds" finding is made, a public hearing before the Case Review Board (CRB) is conducted to determine if the discrimination occurred. The CRB may appoint a hearing examiner to conduct the hearing whose findings are reviewed before they are officially issued. The complainant may appeal a "no reasonable grounds" finding to the CRB. The CRB may affirm the Director's determination, remand it for further investigation, or schedule a public hearing.

COMPLAINTS TAKEN

	DOCKETED	ACCEPTED BUT NOT FILED	CLOSED	DOLLAR RELIEF
Employment	229	30	156	\$109,828.20
Real Estate/Housing	12	6	13	\$ 0.00
Public Accommodation	18	10	18	\$ 1,050.00
Intimidation	0	0	0	\$ 0.00
TOTAL	259	46	187	\$110,978.20

COMPLAINTS CLOSED

	EMPLOYMENT	REAL ESTATE /HOUSING	PUBLIC ACCOMM.	INTIMIDATION
No Reasonable Grounds	46	1	7	0
Reasonable Grounds	1	1	1	0
Withdrawal w/Settlement	15	2	5	0
Pre-Determination Settlement	8	0	0	0
Complaint Withdrawn	15	3	1	0
Administrative Closure	15	1	1	0
Termination of Investigation	56	5	3	0
TOTAL	152	13	18	0

2008 Public Hearing Activity¹

4. Anissa Harris v. Hampden Lane LLC: Ms. Harris alleged that she was the victim of retaliation discrimination in a residential real estate transaction because she had filed a previous discrimination complaint against Hampden Lane LLC alleging she was denied housing based on family responsibilities, the presence of children and marital status. On February 16, 2007, the Director found there were reasonable grounds to believe retaliation discrimination occurred but conciliation efforts were not successful so the complaint was certified to the Case Review Board for a public hearing. The Case Review Board referred the case to the Office of Zoning and Administrative Hearings on July 14, 2007 to conduct the public hearing. The public hearing began on February 14, 2008; on June 18, 2008, by mutual consent, both parties agreed to postpone the hearing until a later date.

New Amendment to the Human Rights and Civil Liberties Ordinance

On September 11, 2007, Councilmembers Trachtenberg, Ervin and Elrich introduced Bill 23-07 to “prohibit discrimination in housing, employment, public accommodations, cable television service, and taxicab service on the basis of gender identity; . . .” “Gender identity means an individual’s actual or perceived gender, including a person’s gender-related appearance, expression, image identity, or behavior, whether or not those gender-related characteristics differ from the characteristics customarily associated with the person’s assigned sex at birth.”

The bill was enacted by the Montgomery County Council by unanimous vote on November 13, 2007 and subsequently signed into law by the County Executive, Isiah Leggett. The provisions of the bill will take effect 90 days after Mr. Leggett’s signature.

Community Mediation

Network of Neighbors

The Network of Neighbors program was founded in 1977 on the belief that the local community can play an important role in combating acts of hate and violence. These acts are committed against persons or institutions because of race, religion, ethnicity, disability or sexual orientation.

Once the Office of Human Rights is notified about an incident, a member contacts the victim and listens to the complaint, conveys concern, and offers assistance. The member assists in whatever way possible. The Network member maintains confidentiality, unless permission is received from the victim to share the particulars. Currently, 100 residents of Montgomery County are active participants in the Network of Neighbors program.

Study Circles

For a decade, the Montgomery County Office of Human Rights and the Human Rights Commission have been sponsoring an innovative program called Study Circles. Study Circles are small groups of 8-12 persons who share firsthand their knowledge of particular issues, examine different views on root causes, and draw on diverse experiences and insights to decide on practical measures which can be taken. In 2008, the Office of Human Rights concluded this program. The Montgomery County Public Schools now coordinates the groups with a dedicated staff and resources.

Police Advisory Committee

On a quarterly basis, representatives from all of the police agencies providing services in Montgomery County gather to discuss hate crime incidents. This meeting provides an opportunity to discuss potential hot spots and identify trends.

Budget

The Montgomery County general revenue fund provides finance for the Human Rights Commission and the Office of Human Rights. The budget is used for programs and services and is supplemented by contracts with the United States Equal Employment Opportunity Commission.

Hate/Violence Complaints

The chart below is a breakdown of reports received by protected class and type of violation.

RACE.....	8
SEXUAL ORIENTATION	3
DISABILITY	0
ETHNICITY	4
RELIGION.....	14
TOTAL PER YEAR.....	29

Partnership Fund for Victims of Hate/Violence

Acts of prejudice and hate are traumatic for both the targeted individuals and the community as a whole. The Partnership Fund for Victims of Hate/Violence’s goal is to demonstrate community support for the victims and ease the financial consequences of such violence. The Partnership Fund, which began as the Partnership Board in 1987, provides partial compensation for property damage to victims of racial, ethnic, religious, sexual orientation, and disability based hate/violence.

The Partnership Fund reviews and approves applications from victims for compensation from the Partnership Fund for Victims of Hate/Violence. Members seek public awareness for the fund, and also publicize and work with local media, businesses, schools, churches and community organizations.

The three members are volunteers from the community who serve on the Committee on Hate/Violence for a total of two three-year terms, without compensation. The County Executive selects the members and the County Council confirms membership. The Partnership Fund meets as needed.

Individual and private institutions may be eligible to receive financial assistance to repair or replace their property, replace lost wages and pay medical expenses in instances where:

- The property was damaged or personal injury was incurred by a hate/violence act;
- The hate/violence incident occurred in Montgomery County; and
- A prompt application is made to the Office of Human Rights.

Legislation expanded awards to include personal injury expenses and lost wages. In 2006, the Partnership Fund became a sub-committee to the Committee on Hate/Violence.

2007 Partnership Board Awards		
16 Victims Contacted		\$2,500.00 Awarded
Religion.....7	Race.....6	Ethnicity.....3

Committee on Hate/Violence Annual Report

February 13, 2009

*The Honorable Isiah Leggett, County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850*

Dear County Executive Leggett:

The members of the Committee On Hate/Violence (COHV) would like to thank you for your ongoing support of our Committee. This letter is to notify you of the milestones and accomplishments reached by COHV during 2008 as well as to inform you of our goals and objectives for 2009.

This year the COHV continued to seek effective and efficient ways to further accomplish its mission of promoting equality, understanding and respect for all people in our county. We have not only reflected on the successes of our current agenda, but we have also taken steps to assess the feasibility of future programs in order to determine which projects will have the greatest impact in preventing and responding to hate crimes in Montgomery County. We have concluded that we must work closely with other groups and associations within Montgomery County to help advance and highlight the valuable work that is already being done by groups within the County.. We asked leaders from local government agencies and non-profit organizations to have a dialogue with the Committee to begin forming a nexus of organizations that are unified in their vision of reducing hate and violence in Montgomery County and that will proactively work with us to achieve this goal. We have found that we share a common vision with many of our speakers, and we have been able to form advantageous partnerships with them on a variety of current and ongoing projects.

We welcomed three new members to our Committee in 2008. Each of these individuals is knowledgeable in a variety of issues related to hate crimes. In spite of these new members, we still have five open positions on our committee, and we continue to actively recruit individuals with relevant experience. We hope to have all of our new members in place no later than March, 2009. This will help ensure that we have the appropriate resources to dedicate to ongoing and future projects.

Enclosed, you will find our complete list of Accomplishments for this past year. I have also attached a copy of our short-term, near-term and long-term goals for your review. This attachment highlights the key activities that we will be focusing on in 2009. In addition, I have highlighted a few of our key accomplishments in 2008.

1. Person Behind the Face

The Committee on Hate/Violence partnered with Culture Shop to facilitate a session of Person Behind the Face (PBTF) for Montgomery County residents. This program focused on commonly held stereotypes. The program is based on the premise that individuals often make assumptions about race, religion and cultural norms as part of their initial impressions of others. During the interactive workshop, participants talked about stereotypes, what they could do to break the cycle themselves, and how they could convey positive information to others to help reduce stereotypes and prejudice. Participants also discussed their personal goals and how these goals could help make Montgomery County a place where hate and violence is not tolerated.

2. Letter to the Governor on Hate Crime Reporting in the State of Maryland

COHV wrote a letter to Governor O'Malley expressing our concern over inconsistencies in statewide reporting of hate crimes pursuant to the Maryland Supplementary Hate Bias Incident Report. Specifically, the Committee discussed the widespread problem of underreporting as well as the lack of consistency in reporting or documenting incidents as "hate crimes" across the various counties in Maryland. We strongly encouraged the Governor to support COHV's mission by ensuring that all reporting jurisdictions in Maryland be effectively trained on hate crimes and given appropriate guidance on how to classify a hate crime, when to report a hate crime, and when to ask for further clarification on the types of occurrences that should be classified as hate crimes or incidents, and reported for Uniform Crime Reporting (UCR) Act purposes. We also asked the Governor to consider using the model for hate crime reporting implemented by Montgomery County as a pilot program for other counties with the understanding that these procedures would form the foundation for a more meaningful state-wide hate crime reporting program.

3. Human Rights Camp

COHV was asked by the Office of Human Rights to participate in their Human Rights camp for fifth graders. As one of the themes of the camp was diversity, COHV led a workshop for students on the topic of the "Inclusive School." Students engaged in role playing by acting out a situation that involved interacting with a new, Spanish speaking immigrant on her first day of school. As part of this program, students were asked to discuss actions they could take to make a new student feel included, in spite of cultural and language barriers. The students were also encouraged to engage in small group discussions regarding incidents in which they felt excluded at school. The workshop concluded with a summary of the fifth graders' vision for developing an "Inclusive School" in their community.

Finally, we are aware of the current economic crisis and the effect on Montgomery County and, therefore, have decided to focus on low cost activities for the upcoming year. Our goal is to work with County and State government agencies, non-profit organizations, and Citizens Groups to make the greatest impact at the lowest possible cost. The following is a list of ideas that we have come up with in order to accomplish this goal:

1. *Review the individual provisions of the Maryland Hate Crimes Statute to ensure that the statute effectively addresses the needs of Montgomery County's diverse populations. We have met with the Montgomery County Police Department (MCPD) and the State Attorney's Office to determine the procedure for enforcing the statute as well as to obtain their feedback on what obstacles, if any, may be constraining the enforcement process. The goal of the committee is to determine areas of the statute that need to be clarified, enhanced or modified and to recommend legislative changes to the appropriate bodies.*
2. *The Committee is concerned that the fringe viewpoints on immigration policies in the County may lead to increased violence and hate crimes being committed against our residents. In order to ensure that we remain a County where we can debate controversial issues in a non-violent manner, the Committee plans to undertake projects that will help refocus the discussion away from the hateful tone to one that is focused on educating residents on specific points on both sides.*
3. *Ongoing committee activities:*
 - *Outreach activities – It has been brought to our attention that many County residents are not aware of the tremendous support and resources that are available to them. To this end, the committee wants to try to increase awareness of the Committee, our purpose, and how we can help residents. In addition, we think it is extremely important to educate the community about identifying hate crimes, reporting hate crimes, and working with the proper authorities to ensure hate crimes are investigated and/or prosecuted to the full extent of the law.*
 - *Recruit for diversity on the committee. We will continue our goal of ensuring the Committee is as diverse as Montgomery County.*
 - *Providing updates to the County Executive and the community on the work that we have done over the year. The Committee will continue to release statements and reports about the work that we are doing in the community. We will be happy to supply you with any further details that you may require with regard to these projects. Members of the Committee on Hate Violence will be happy to meet with you or your staff should you so desire. We thank you in advance for your continued support of our efforts.*

Sincerely,

*Ms. Amina Makhdoom
Chair, Montgomery County Committee on Hate/Violence*

Hall of Fame

Odessa M. Shannon, former Director of the Montgomery County Office of Human Rights conceived and inaugurated the Montgomery County Human Rights Hall of Fame in 2001. Since then, 67 residents have been recognized for their vision leadership, outstanding achievement, and altruism on the road to eliminating discrimination, diminishing the effects of discrimination and advancing human rights. The inductees have made great personal sacrifices and contributed in making Montgomery County a better place. The fifth induction was on February 5, 2008, where 5 people were honored at a ceremony and reception.



Hall of Fame Sculpture
Lalrozami Henkai, Artist

All nominations are received from the community and are then judged by a panel of distinguished residents. The selection criterion for the Hall of Fame members, living or deceased, is the demonstration of the following: contribution to the elimination/mitigation of discrimination in Montgomery County; lasting community impact; exemplary leadership; outstanding achievements; selfless contributions/personal sacrifices; visionary; and community recognition.

Names of all Hall of Fame inductees are on permanent display at the Montgomery County Executive Office Building in Rockville, Maryland.

2008 Inductees

David R. Baker
Austin Heyman

Vernon Ricks
Odessa M. Shannon

Jane B. Stearns

Previous Inductees

Sammie Abbott*
Frances L. Abrams
Thomas Baltimore, Sr.
Bonnie J. Berger
Mary Betters
Fernando Bren
Ralph Brown
Judge David Cahoon
Norman Christeller*
Christine Clarke
Noah E. Clarke*
Hyman Cunin*
Alan Dean
Lincoln Dring
Emily C. Edmonson*
Roger Farquhar
Hugh G. Gallagher*
William Gibbs*
Charles Gilchrist*
Robert Hill
Samira Hussein

Leonard Jackson*
Shirley Johnson
Lee Jordan*
Leonard Kapiloff*
Bertram Keys, Jr.
Blanca Kling
Rose Kramer
Isiah Leggett
Shirley S. Lynne*
James Macdonell
Inez McAbee
Margaret (Peg)
McRory
Margit Meissner
James C. Moore*
Michael S. Morris*
Roscoe Nix
Hanley Norment*
K. Patrick Okura
Florence Orbach
Chung Pak

Linda Plummer
Anita Neal Powell
Silvia Rodriguez
Ruby Rubens
Elizabeth Scull*
George H. Sealey*
Eunice Kennedy Shriver
Joyce Siegel
Sue Shoenberg
Jackie Simon
Gary Howard Simpson*
John W. Smith
Carolyn Snowden
Edith Throckmorton*
Gustavo Torres
Judith Vaughan-Prather
Leroy Warren, Jr.
William Wims
F. Wilson Wims
Gladys Young
Harvey Zeigler

** Awarded Posthumously*

Human Rights Camp

The Montgomery County Office of Human Rights conducted the two sessions of the “Human Rights Camp” in 2008. The 3-day program included transportation, activity materials, meals and refreshments for 20 fifth grade students who attend Montgomery County Public Schools.

The camp took place on April 4-5, 2008, and on October 17-19, 2007, at the YMCA's licensed and accredited Camp Letts facility in Edgewater, Maryland (near Annapolis). Students departed from the Office of Human Rights by Montgomery County Public School (MCPS) bus on Friday afternoon and returned to the Office of Human Rights on Sunday afternoon. Students were responsible for their personal toiletries, clothing and bedding.

Participating students who had demonstrated the following types of actions, words and activities; or had an interest in diversity, tolerance or human rights:

- Students who had consistently demonstrated small and large acts of kindness and respect for alienated or neglected students and/or community members or people who may have been perceived as “different”;
- Students whose actions or words had broken barriers between groups, increased the representation of under-represented groups in activities, healed divisiveness among groups, and who otherwise acted responsibly to promote respect and bridge differences;
- Students who had taken moral stances on issues that might otherwise have been neglected; and
- Students who had initiated or modified existing programs or projects, or taken action by themselves to respond to current school and community needs.

Teachers, counselors and administrators may also have recommended a student who had exhibited a need in diversity, tolerance or bully aversion training.

Groups protected by law and MCPS policy are as follows: race, color, national origin, ethnicity, religion, gender, age, marital status, social-economic status, intellectual ability, sexual orientation, physical characteristics and disability.

Saumya Dobriyal
Twinbrook Elementary
Winner of the
Fair Housing Poster Contest



2008 Accomplishments

Organizational

- Planned a summer retreat in order to:
 - ✓ orient three new team members to the committee;
 - ✓ determine our Mission; and
 - ✓ discuss ideas for how to expand our impact in the upcoming year.
- Learned and documented County processes, procedures, and templates for the committee and created additional ones.
- Worked to increase diversity on the committee by reaching out to contacts around Montgomery County and finding strong members.

Education Sub-committee

- Persuaded and worked with Damascus High School to develop a Mix It Up Day program.
- Met with Jane Butler to discuss how the Committee could partner better with Montgomery County Public Schools (MCPS) to reduce incidents of hate/violence in schools.
- Delivered a workshop for fifth graders at Human Rights Camps on the Inclusive School.
- Gave a presentation to middle school SGA representatives regarding Mix It Up Day, a program sponsored by the Southern Poverty Law Center to encourage interaction across group lines to improve intergroup relations.
- Upon hearing of an incident at an interscholastic sports event, met with Dr. Beattie, Director of Interscholastic Athletics at MCPS, to learn about sportsmanship development and diversity and express our concern about these issues.
- Met with John Landesman from the MCPS Study Circle Program to talk about programs MCPS is involved in to create stronger relationships in Montgomery County.

Outreach Sub-committee

- Updated our Mission statement
 - ✓ Mission Statement: The Montgomery County Committee on Hate/Violence (COHV) works for equality, understanding and respect for all people through community education, collaboration and legislation. The COHV responds to acts of hate/violence against individuals, groups or institutions. The COHV advises the Montgomery County Council, Executive and agencies about hate/violence and recommends policies and programs necessary to reduce incidents of hate/violence.
- Planned, organized, and executed Person Behind the Face (PBTF) at the Culture Shop in Silver Spring, advertising the event on NPR and in the Gazette newspaper.
- Staffed booth at the Montgomery County festival where we distributed flyers regarding how to report hate crimes and hate violence prevention programs available to MC residents.
- Organized and led "Person Behind the Face" workshop for apartment complex in Gaithersburg (called by Shannon and Luchs after Culture Shop publicity).

Legislative Sub-committee

- Sent a letter to Delegates Ali, Ramizez, Taylor and Vaughn thanking them for their support of the No Nooses Bill. (get bill number, etc)
- Sent a letter to Governor O'Malley regarding inconsistencies in how hate crimes are reported in the State of Maryland. We encouraged the Governor to institute consistent guidelines across the state of Maryland.
- Met with Bruce Adams to discuss the relationship between the Committee on Hate/Violence and the County Executive's Office.
- Responded to a hate incident at Rockville High School by writing a letter to the Superintendent of Schools, Jerry Weast.
- Invited George Simms III, from the Maryland State Attorney's Office to discuss how hate crimes are prosecuted.

Fair Housing

The Fair Housing unit of the Office of Human Rights has endeavored to provide equal housing opportunities for the citizens of Montgomery County. It has pursued this objective through five major approaches: education and outreach; gathering and analyzing data; legislative analysis; testing; and the investigation of complaints.

Education and Outreach

The education and outreach activities of the Fair Housing unit propel the Office of Human Rights into the communities, businesses and schools of Montgomery County. Its focus is to disseminate information which in turn provides the tools to (1) identify situations of possible discrimination, and (2) develop strategies to avoid or remedy these situations. Staff members make presentations to community organizations to inform residents of their rights as well as their responsibilities. Training is provided to real estate owners, managers and their employees to inform them of the federal, state, and county laws that address housing issues. The Fair Housing curriculum developed by the Office of Human Rights in conjunction with the Montgomery County Schools continues to be an integral part of the social studies curriculum in high schools throughout the county. Education is further served by the sponsoring of activities; some of which grant continuing education credits, which address laws and issues dealing with fair housing.

During 2008, the Office of Human Rights conducted 14 training sessions, made numerous community presentations and participated in many community forums. These presentations included a program for the NAACP on housing discrimination, panel participation for the Association of African American Financial Advisors' forum on predatory lending and an HHS seminar on accessible housing. The Fair Housing unit teamed up with the Compliance unit to offer a program to property management and real estate professionals. This program combines legal experts, as well as experts from Fair Housing, Consumer Affairs, Landlord Tenant and the Housing Opportunities Commission to educate property professionals about their rights and responsibilities under the law.

One rewarding program featured a partnership with the Montgomery County Public Libraries. A special display at the Rockville Library featured books and materials on the theme of the Civil Rights Movement and Fair Housing. The Fair Housing staff is grateful to the dedicated professionals in the MCPL Administrative Offices as well as the Rockville Library for their enthusiastic support of the program.

Legislative Analysis

Housing seekers in Montgomery County have Source of Income as a prohibited basis for discrimination in the County code. The Office of Human Rights and the Commission on Human Rights supported the same protections for Maryland residents as a whole when legislation in Annapolis was submitted to add that protection to the Annotated Code of Maryland. Although the effort failed, it demonstrated the commitment of the Office of Human Rights and the Commission on Human Rights to support improvements to the quality of life.

Testing

In 1968, Chapter 27 of the Montgomery County Code was revised to include an “open housing law” which prohibits discrimination in the sales and rental of housing. Enforcement of that law was given to the Human Relations Commission, now the Office of Human Rights. In 1999, the County further demonstrated its commitment to fair housing by developing an in-house testing program.

Fair housing testing is a controlled method for measuring and documenting variations in the quality, quantity and content of information and services offered or given to various home seekers by housing providers. The basic element of a fair housing test involves sending a matched pair of testers to the same apartment complex on the same day usually two to three hours apart. The testers are matched by the date housing is needed, type of unit requested, income, gender, marital status and employment history.

Upon completing their visit to the apartment complex, each tester provides a detailed and objective account of the testing experience. Comparing the accounts of these test visits often makes it possible to identify and document differences in treatment, information, and/or service that is provided to each of the testers.

Approximately 140 tests were completed in 2008 on the basis of race, national origin, source of income and familial status (which is defined as families with children under the age of 18). Analysis of testing result from our in-house testing program has shown a difference in treatment on the basis of source of income, as a result in early 2008 a formal Commission charge of discrimination was lodged against a property management company managing a property in Rockville. The apartment complex refused to accept Housing Choice Vouchers (section 8) for rent at their complex, which is a direct violation of Chapter 27 of the Montgomery County Code.

Continuing with our commitment to eliminate segregation and other discriminatory practices in housing, the fair housing program contracted with the Equal Rights Center and the Urban Institute to provide mortgage lending testing on the basis of race and national origin, to identify the scope of current residential real estate lending practices.

Fifty nine tests were conducted of 11 lending institutions in the County. Some of the tests showed minor differences in treatment, in those instances the testers met with two different agents. This inconsistency may account for the difference in treatment afforded to the protected tester on certain occasions. After reviewing all the testing results none warranted pursuing legal enforcement action. However, the fair housing program remains ready to act on any identified discriminatory housing practice.

Interagency Fair Housing Coordinating Group

Established by ordinance to facilitate and promote the County's efforts to prevent discrimination in housing, the Interagency Fair Housing Coordinating Group of public and private housing professionals, along with concerned citizens, acts as a sounding board of concerns and advocates for diligence in dealing with housing issues. This group also provides informational input, greatly enhancing the Office of Human Rights' knowledge of the dynamics of the local housing situation. This coupled with its member's dissemination of useful information back to their agencies, communities and organizations makes this group a valuable partner to the Office of Human Rights in its mandate to protect the rights of the county's citizens.

Gathering and Analyzing Data

In its continuing efforts to stay abreast of the issues, the Office of Human Rights is in the process of contracting a study on Mortgage Lending, Federal Housing Assistance (FHA), and Sub-Prime Lending. The constantly changing economic infrastructure alters the landscape in which citizens pursue funding for housing. These studies will provide the agency with data to identify current and emerging areas of concern with which it can focus activities to address the relevant issues.

The Office of Human Rights has also reviewed the results of the U.S. Census to decipher (1) trends that may impact the housing market, and (2) inhibitors of the market. The Office of Human Rights staff constantly reviews and evaluates studies by governmental agencies and educational institutions such as HUD and Harvard University, as well as advocacy groups, to stay abreast of the effects of social and economic factors on the housing industry.

Predatory Lending

The topic of predatory lending has become commonplace in newspaper headlines and in housing discussions. Discriminatory predatory lending targets borrowers for loans with exorbitant or abusive terms based on race, national origin, sex, age, or other discriminatory categories. Some abusive home-lending practices occur in the so-called "sub-prime market" and many address home loan opportunities for people with limited credit histories.

Common characteristics of a predatory loan:

- High and unnecessary closing costs
- Excessive late fees
- Prepayment penalty
- A payment schedule with a large "balloon" payment
- Vague loan terms or terms that change
- Inflated appraisal costs
- Additional unwanted services like credit life insurance
- High loan-to-value ratio (in excess of home's value)
- Backdated or forged documents
- Rushed loan closing
- Multiple refinancing or "flipping"

Commissioners

Russell Campbell, Chair
Sambhu Banik
Lisa Edwards
William England
Richard Fein
Jeremiah Floyd
A. Diane Graham
Candace Groudine
Daniel Joya
Tina Patterson
Rosalyn Pelles, Vice Chair
Mark Poletunow
Dina Shafey
Hermann Wendorff, Secretary
Tracey Williams

Human Rights Commission 2008

The Commission has 15 members. The members are appointed by the County Executive and confirmed by the County Council. The members are men and women who are broadly representative of the diverse population of the County. Each member serves a 3-year term. The Executive designates a member of the Commission to be chair. The Commission may elect other officers, as it deems necessary. Three members of the Commission serve on the Case Review Board which handles appeals and hearings for discrimination complaints.

The Commission must meet at least once a month for nine months in each calendar year. Eight members of the Commission who are qualified to vote constitute a quorum for the transaction of business and a majority vote of those present at a meeting is required for any official action by the Commission.

The Commission's duties mandate that it work to eliminate discrimination, prejudice, intolerance, and bigotry in housing, recreation, education, health, employment, public accommodations, and justice, regardless of race, color, religious creed, ancestry, national origin, sex, age, marital status, disability, sexual orientation, genetic status, presence of children, or source of income, and promote goodwill, cooperation, understanding and human relations among all residents. The members of the Commission serve without compensation.

General duties include the following:

- Research, analyze and disseminate information about activities and programs to eliminate prejudice, intolerance, bigotry and discrimination.
- Conduct educational and other programs to promote equal rights and opportunities to all persons regardless of race, color, religious creed, ancestry, national origin, sex, age, marital status, disability, sexual orientation, genetic status, and presence of children or source of income.

- Promote goodwill, cooperation, understanding and human relations for all.
- Cooperate with interested citizens, racial, religious and ethnic groups; as well as community, business, professional, technical, educational and civic organizations.
- Study and investigate, through public and private meetings, conferences, and public hearings, conditions that could result in discrimination, prejudice, intolerance, or bigotry.
- Advise county residents, the County Council, the County Executive, and the various departments about prejudice, intolerance, bigotry and discrimination.
- Recommend procedures, programs and laws to promote and protect equal rights and opportunities for all persons.

Case Review Board

At the beginning of FY 2008, the Case Review Board (CRB) had 117 appeals pending. During the fiscal year, it processed 72 appeals. As of June 30, 2008, the Case Review had 67 appeals pending.

Notable Case Reaches Closure

During FY08, closure was reached in the case of Elaine Walker, et al. v. Glenmont Hills Associates. This case presented a landmark issue on which the CRB had ruled. The complaint was first filed with the Montgomery County Human Rights Commission in 2002, the applicant, Elaine Walker, sought to pay a portion of her rent using a Section 8 voucher. The application was denied because the landlord refused to accept the vouchers. County law prohibits a landlord from discriminating against a rental applicant based on the source of income that the applicant will use to pay the rent.

The Office of Human Rights issued a recommended decision finding that the landlord had violated the County law. In accordance with the County's process, the recommended was forwarded to the CRB for further action. The CRB referred the to the Office of Zoning and Administrative Hearings (OZAH) for a hearing. OZAH conducted the hearing and issued a recommended decision upholding the recommendation of the Office of Human Rights. The CRB reviewed the OZAH decision, after holding a hearing on whether it should adopt OZAH's recommended decision, the CRB adopted OZAH's recommendation.

In December 2006, the Circuit Court ruled in favor of the apartment complex, and the County appealed the ruling to the Maryland Court of Appeals, which, on November 30, 2007, overturned the lower court's decision. Arguing that the voluntary nature of the federal Section 8 program preempts a local source of income law that effectively mandates participation in the voucher program, the landlord has asked the U.S. Supreme Court to review the case. On June 2, 2008, Glenmont Hills, Privacy World filed its brief urging the Supreme Court to accept the case. However, the Supreme Court declined to review this matter. Thus, the issue, which reached administrative closure with the CRB's adoption of the OZAH recommendation, has reached judicial finality.

Accomplishments

Commissioner Training and Development Activities:

- Seminar on Quasi-Judicial Boards
- Ethics orientation for members of County boards and commissions

Representational Activities:

- Supporting County Executive Initiatives
- Attended Budget Meeting with the County Executive
- Summits convened by the County Executive: African American, African Continentals and Caribbean, Asian American, and Latino

Supporting of Other County Commissions, Boards and Agencies:

- Commission for Women's Single Mothers and Poverty Forum series
- Completion of the Local Public Health System Assessment supported by the Collaboration Council and the National Association of County and City Health Officials.

Supporting Community Concerns:

- Eastern Montgomery County Regional Service Center Foreclosure Workshop
- One Stop Housing Fair workshop
- Housing fair in Gaithersburg
- Attended Breakfast meeting with the CHR Legislative Committee
- Hosted special briefing on Transgender Issues, Dr. Dana Beyer keynote

Education and Outreach

- Arab American Institute's Kahlil Gibran Spirit of Humanitarianism Award Dinner
- Arab American Heritage Month event at Montgomery College
- International Women's Day Festival sponsored by the Womens Communities Association
- Hispanic Festival and Health Fair
- Senior Citizens Fair
- Mt. Calvary Baptist Church Festival

Media Outreach:

- "Transgender Position of The Human Rights Commissions" Channel 16 TV Show
- "African American African Continental: A Chilly Co-Existence" MCTV Channel 21

In addition to the above activities, Commissioners participated in interview and assessment of Executive Director Candidates

In FY2009 the Human Rights Commission Plans to Work in the Following Areas:

- Increased community outreach, especially in the following communities: African, Arab/Middle Eastern, and Hispanic
- A Public Forum on the Digital Television Conversion will be hosted to ensure that the most vulnerable in the Community are prepared for the upgrade.
- Presentations at Human Rights Camps
- Human Rights Themed Essay Contest

Commissioner Activities 2007 - 2008

Commissioners represented the Commission in the following activities:

- Human Rights Commission was featured on MC TV.
- Seminar on Quasi-Judicial Boards.
- Ethics orientation for members of County boards and commissions.
- Human Rights Commission attended the Arab American Institute's Kahlil Gibran Spirit of Humanitarianism Award Dinner.
- Attended Arab American Heritage Month event at Montgomery College.
- Human Rights Commission participated in the International Women's Day Festival sponsored by the Womens Communities Association.
- Human Rights Commission attended the Commission for Women's Single Mothers and Poverty Forum series.
- Human Rights Commission participated in Montgomery County's completion of the Local Public Health System Assessment supported by the Collaboration Council and the National Association of County and City Health Officials.
- Hosted special briefing on Transgender Issues, Dr. Dana Beyer briefing keynote.
- Attended One Stop Housing Fair workshop.
- Attended Eastern Montgomery County Regional Service Center Foreclosure Workshop.
- Attended budget meeting with the County Executive.
- Attended breakfast meeting with the CHR Legislative Committee.
- Staffed CHR information table at the Mt. Calvary Baptist Church Festival
- Attended the taping of Africans and African Americans: The Chile Coexistence which aired on the Montgomery County public access channel.
- Staffed information table at Housing fair in Gaithersburg.
- Staffed information table at Senior Citizens job fair.
- Attended summits convened by County Executive: African-American, Asian-American.
- Participated in interview of Executive Director Candidates.
- Staffed information table at fair for People with Disabilities.

Office of Human Rights Staff

James Stowe, Director
Michael Dennis, Compliance Director
Rafael Alvarez, Investigator
Ralph Baker, Investigator
Michael Brown, Program Manager
Lasantha Dahanaik, Investigator
Cuong DuThinh, Investigator
Esther Greene, Investigator
Lois Hackey, Program Manager
Kimberly Ham, Program Specialist
Sonja Harvell, Principal Administrative Aide
Cecelia Hatton, Program Specialist
David Hughley, Investigator
Debra Jones, Administrative Specialist
Joseph Kopyto, Investigator
Beverly Marshall, Office Services Coordinator
Patricia Miller, Investigator
Peter Mitchell, Investigator
Evelyn Fay Mixon, Technology Specialist
Angela Sullivan, Program Manager
Marissa Wills, Program Manager

Under the direction of the Director, the Office of Human Rights investigates complaints of discrimination, conducts community relations and community education activities and promotes and monitors fair housing activities. This staff also assists the Commission on Human Rights, the Case Review Board, Partnership Board for Victims of Hate/Violence and the Committee on Hate/Violence in fulfilling their mandate.

Montgomery County Government is committed to complying with the Americans with Disabilities Act. If you need this publication in an alternative format, please contact the Office of Human Rights.



21 Maryland Avenue, Suite 330 • Rockville, Maryland 20850
240/777-8450 Phone
240/777-8460 FAX • 240/777-8480 TTY/TDD
[montgomerycountymd.gov/departments/human rights](http://montgomerycountymd.gov/departments/human%20rights)

